

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF

MONDAY, FEBRUARY 8, 1988  
AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:07 p.m. The meeting was adjourned by Chairperson McCarty into Closed Session on Tuesday, February 9, 1988 at 9:00 a.m. in the twelfth floor conference room to discuss pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Reverend Ken Gosselin of  
Christ United Methodist Church.

FILE LOCATION: MINUTES

Feb-8-1988

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Henderson.

FILE LOCATION: MINUTES

ITEM-30: DENIED HEARING

Matter of the request of Steven S. Thomson, for a hearing of an appeal from the decision of the Board of Zoning Appeals in denying C-19712, a request to convert an existing non-habitable area to living area, located in the lowest portion of the existing house and resulting in a floor area ratio of .70 where .60 is permitted. The subject property is located at 2351 Hartford Street, in Zone R1-5000, in the Clairemont Mesa Community Plan area, and is further described as Lot 2, Block 120, Morena Subdivision, Map-809.

(Case C-19712. District-6.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: ZONE - ZONING APPEALS CASE C-19712

COUNCIL ACTION: (Tape location: A035-045.)

MOTION BY HENDERSON TO DENY HEARING. Second by Struiksma.

Passed by the following vote: Wolfsheimer-nay, Roberts-yea,

McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-31: GRANTED HEARING

Matter of the request of Mr. and Mrs. Hunter Muir of Kellogg Owner's Association, by John M. Turner, Attorney, for a hearing of an appeal from the decision of the Board of Zoning Appeals in granting a variance as modified for Case C-19689, requesting to construct a 92'0" solid wall with a maximum height of 9'8" adjacent to a private driveway and consisting of: 1) 20'0" of 9'8" high wall within the required front yard observing a 0'0" front yard at the closest point where 20'0" is required; 2) 72'0" of 9'8" high wall observing a 0'0" side yard where a 6'0" side yard is required; 3) a maximum 7'6" high open vehicle/pedestrian gate observing a 14'0" front yard where a 20'0" front yard is required; and (4) to maintain two pillars approximately 9'0" high located in the front yard

where a maximum structure of 3'0" in height is permitted within the 20'0" front yard. The pillars are located on both sides of the existing private drive and encroach approximately 0'4" into the public right-of-way. The subject property is located on the west side of San Gorgonio Street at Kellogg Street, in Zone R1-10000, in the Peninsula Community Plan area, and is further described as portions of Pueblo Lots 105, 117 and 129, designated as "Road Easement" on Record of Survey Map-1844.

(Case C-19689. District-2.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: ZONE - ZONING APPEALS CASE C-19689

COUNCIL ACTION: (Tape location: A046-079.)

MOTION BY ROBERTS TO GRANT THE HEARING; NECESSITATES COUNCIL REVIEW SINCE IT QUALIFIES AS CITY-WIDE SIGNIFICANCE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Feb-8-1988

ITEM-32: APPROVED

Approval of Council Minutes for the Meetings of:

1/4/88

1/5/88

1/11/88

1/11/88 Special

1/12/88

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A080-108.)

MOTION BY HENDERSON TO APPROVE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-50: (O-88-111) ADOPTED AS ORDINANCE O-17020 (New Series)

Amending Chapter IV, Article 4, Division 3, of the San Diego Municipal Code by amending Sections 44.0300, 44.0310 and by repealing Section 44.0311, relating to Animals. (Introduced on 1/25/88. Council voted 8-0. District 3 voted nay on the portion of the Ordinance concerning "vicious dogs." District 5 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A290-319.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Henderson. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea (nay on that portion of the ordinance regarding vicious dogs), Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-51: (O-88-85 Rev.) ADOPTED AS ORDINANCE O-17021 (New Series)

Amending Chapter V, Article 6, of the San Diego Municipal Code by amending Section 56.54, relating to Alcoholic Beverage Consumption and Possession Prohibited in Certain Areas, to expand the boundaries of the restricted area for alcoholic beverage possession and consumption by adding the "beach area" between the hours from 12:00 p.m. midnight and 6:00 a.m. starting at Patkay Point and proceeding northerly along the water front of the Pacific Ocean and waters of Mission Bay to the northerly boundary of the Mission Bay Channel, and between the hours from 10:00 p.m. and 6:00 a.m. starting at the northerly boundary of Mission Bay Channel and proceeding northerly along the water front of the Pacific Ocean and water of Mission Bay to the southerly boundary of the City of Del Mar and including Fiesta Island, and public areas in Mission Bay Park.

(Districts-1, 2 and 6. Introduced as amended on 1/26/88.

Council voted 9-0.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A290-319.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Henderson. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-52: (O-88-108) CONTINUED TO MARCH 7, 1988

Introduction of an Ordinance amending Chapter III, Article 3, of the San Diego Municipal Code by amending Section 33.0106 relating to the Transition Provisions and Section 33.1550.3 relating to Closing Hours, by clarifying the applicability of transition provisions to police regulated businesses, specifically closing hours for public dances. (See City Manager Report CMR-88-40.)

COMMITTEE ACTION: Reviewed by PSS on 1/20/88. Recommendation to approve the City Manager's Report. Districts 2, 3, 4, 6 and 7 voted yea.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A320-B076.)

MOTION BY ROBERTS TO CONTINUE FOR FOUR WEEKS. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-nay, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-100: (R-88-1051) ADOPTED AS RESOLUTION R-270288

Awarding a contract to Interstate Sales for the purchase of materials and supplies for guardrail repair, as may be required for a period of one year, beginning February 1, 1988 through January 31, 1989, for an estimated cost of \$91,801.39, including tax, with an option to renew the contract for an additional one-year period, with a price escalation not to exceed 12 percent of the base prices bid. (BID-9361A)  
(Three bids received. For use by the General Services Department, Streets Division.)

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A162-181.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-101: (R-88-1053) ADOPTED AS RESOLUTION R-270289

Awarding a contract to Pacific Refrigeration, Inc. for the rental of ice machines, as may be required for a period of three years beginning February 1, 1988 through January 31, 1991, for a total estimated expenditure of \$62,424, with options to renew the contract for two additional one-year periods. (BID-9448)  
(Five bids received. For use by City crews in the "field" where water is not available.)

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A162-181.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-102: (R-88-1050) ADOPTED AS RESOLUTION R-270290

Awarding a contract to Case Power and Equipment for the lease of one tractor bulldozer with multi shank variable ripper, Alternate B, as may be required for a period of six months beginning approximately March 1, 1988 through August 31, 1988, for a total cost of \$21,216.60 for six months, the cost per year thereafter will be \$42,433.20, plus an additional 1/2 percent sales tax. (BID-9377)

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A162-181.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-103: (R-88-1052) ADOPTED AS RESOLUTION R-270291  
19880208

Inviting bids for Sunset Cliffs Boulevard Guardrail Replacement on Work Order No. 118953; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$208,000 from Capital Outlay Fund 30245, CIP-52-374, Sunset Cliffs Boulevard Guardrail Replacement, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-9502)  
(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This project proposes the replacement of approximately 5,300 lineal feet of badly deteriorated guardrail along the ocean side of Sunset Cliffs Boulevard between Adair Street and Ladera Street. The guardrail along the perimeter of four parking lots in Spaulding Park is included in the above total. The replacement guardrail will provide increased safety for motorists using Sunset Cliffs Boulevard and the four parking lots.

Aud. Cert. 8800428.

FILE LOCATION: W.O. 118953 CONT - Alcorn Fence Co.  
CONTFY88-1

COUNCIL ACTION: (Tape location: A162-181.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-104: (R-88-1049) ADOPTED AS RESOLUTION R-270292

Accepting the second low bid in the amount of \$524,426 by Wal-Con Construction and John M. Artukovich (J.V.) for the construction of Sewer Main Replacement Group 83, Jacking Alternative; authorizing the City Manager to execute a contract in accordance with the form on file in the Office of the City Clerk as Document No. 170171. (BID-7475A) (Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On July 29, 1987, bids were opened for construction of Sewer Main Replacement Group 83. The two lowest bidders were Jack Lewis and Son, Inc. (\$465,000) and Wal-Con Construction and John M. Artukovich (\$524,426). The specifications called for the contractor to submit a dewatering plan prior to starting the work; a dewatering plan which requires a discharge permit from the California Regional Water Quality Control Board. The apparent low bidder, however, was unaware of the 6-month time period needed to obtain the permit. Jack Lewis and Son, Inc. expressed that the delay would impose hardship on their ability to perform the work within the limit of their bid. Therefore, they requested and received approval to withdraw their bid. The second low bidder, Wal-Con Construction and John M. Artukovich, whose bid is still 17 percent under the engineer's estimate, is ready and willing to perform the work, even with the 6-month time delay. Therefore, it is recommended that this project be awarded to the second low bidder, Wal-Con Construction and John M. Artukovich.

Aud. Cert. 8800666.

WU-P-88-078.

FILE LOCATION: CONT - WAL-CON CONSTRUCTION AND JOHN M. ARTUKOVICH CONT FY88-1

COUNCIL ACTION: (Tape location: A162-181.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-105:

Four actions relative to Mercy Mira Mesa Unit No. 2, a 102-lot subdivision located northwesterly of I-15 and Mercy Road:  
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-88-1480) ADOPTED AS RESOLUTION R-270293  
Authorizing the execution of a Subdivision Improvement  
Agreement with American Newland Associates for the  
installation and completion of public improvements.

Subitem-B: (R-88-1479) ADOPTED AS RESOLUTION R-270294  
Approving the final map.

Subitem-C: (R-88-1481) ADOPTED AS RESOLUTION R-270295  
Approving the acceptance by the City Manager of a street  
easement deed of American Newland Associates, granting to  
the City an easement for public street purposes in a  
portion of Parcel 2 of Parcel Map PM-12296; dedicating said  
land as and for a public street and naming the same Babauta  
Road.

Subitem-D: (R-88-1482) ADOPTED AS RESOLUTION R-270296  
Approving the acceptance by the City Manager of a grant  
deed of American Newland Associates, granting to the City  
all of Lot 160 of Mercy Mira Mesa Unit No. 2.

FILE LOCATION:

Subitems A and B: SUBD, MERCY MIRA MESA  
UNIT NO. 2;

Subitem C: DEED F-4346;

Subitem

D: Deed F-4347 CONT FY88-1; DEED FY88-2

COUNCIL ACTION: (Tape location: A162-181.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McColl. Passed  
by the following vote: Wolfsheimer-yea, Roberts-yea,  
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-106:

Two actions relative to the final subdivision map of Mercy  
Mira Mesa Unit No. 3, a 57-lot subdivision located  
southwesterly of I-15 and Mercy Road:  
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-88-1377) ADOPTED AS RESOLUTION R-270297  
Authorizing the execution of a Subdivision Improvement  
Agreement with American Newland Associates for the



installation and completion of public improvements.

Subitem-B: (R-88-1376) ADOPTED AS RESOLUTION R-270298

Approving the final map.

FILE LOCATION:

Subitems A and B: SUBD, MERCY MIRA MESA

UNIT NO. 3 CONT FY88-1

COUNCIL ACTION: (Tape location: A162-181.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McColl. Passed

by the following vote: Wolfsheimer-yea, Roberts-yea,

McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-107:

Three actions relative to the final subdivision map of  
Mercy Mira Mesa Unit No. 5, a 7-lot subdivision located  
southwesterly of I-15 and Mercy Road:

(Mira Mesa Community Area. District-5.)

Subitem-A: (R-88-1374) ADOPTED AS RESOLUTION R-270299

Authorizing the execution of a Subdivision Improvement

Agreement with American Newland Associates for the

installation and completion of public improvements.

Subitem-B: (R-88-1373) ADOPTED AS RESOLUTION R-270300

Approving the final map.

Subitem-C: (R-88-1375) ADOPTED AS RESOLUTION R-270301

Approving the acceptance by the City Manager of a grant

deed of American Newland Associates granting to the City

Lots 228 and 229 of Mercy Mira Mesa Unit No. 5.

FILE LOCATION:

Subitems A and B: SUBD, MERCY MIRA MESA

UNIT NO. 5;

Subitem C: DEED F-4348

CONT FY88-1; DEED FY88-1

COUNCIL ACTION: (Tape location: A162-181.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McColl. Passed

by the following vote: Wolfsheimer-yea, Roberts-yea,

McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-108: (R-88-1478) ADOPTED AS RESOLUTION R-270302

Approving the acceptance by the City Manager of that deed of San Diego Metropolitan Transit Development Board, conveying to the City sewer and storm drain easements in a portion of Block 155, Horton's Addition and 12th Avenue as vacated; authorizing the execution of a quitclaim deed, quitclaiming to San Diego Metropolitan Transit Development Board, all of the City's right, title and interest in the public utility easement in a portion of Block 155, Horton's Addition and 12th Avenue as vacated.

(Centre City Community Area. District-8.)

FILE LOCATION: DEED F-4349 DEEDFY88-1

COUNCIL ACTION: (Tape location: A162-181.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-109: (R-88-1477) ADOPTED AS RESOLUTION R-270303

Approving the acceptance by the City Manager of that deed of The Fieldstone Company conveying to the City a drainage easement in a portion of Parcel 2 of Parcel Map PM-12882; authorizing the execution of a quitclaim deed, quitclaiming to The Fieldstone Company all the City's right, title and interest in the drainage easement in a portion of Parcel 2 of Parcel Map PM-12882.

(Mira Mesa Community Area. District-5.)

FILE LOCATION: DEED F-4350 DEED FY88-1

COUNCIL ACTION: (Tape location: A162-181.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-110: (R-88-1472) ADOPTED AS RESOLUTION R-270304

Excusing Council Member Ron Roberts from attending the Public Services and Safety Committee meeting of January 20, 1988, for the purpose of vacation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A162-181.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-111: (R-88-1421) ADOPTED AS RESOLUTION R-270305

A Resolution approved by the City Council in Closed Session  
on Tuesday, January 12, 1988 by the following vote:  
Wolfsheimer-yea; Roberts-yea; McColl-yea; Pratt-yea;  
Struiksmayea; Henderson-yea; McCarty-yea;  
Filner-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of  
\$55,000 in the settlement of each and every claim against  
the City, its agents and employees, resulting from the  
personal injury to Eric Moll, (Superior Court Case No.  
543810, Eric Moll v. City of San Diego, et al.);  
authorizing the City Auditor and Comptroller to issue one  
check in the amount of \$55,000 made payable to The Clerk of  
the Superior Court, in full settlement of the lawsuit and  
all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the  
complete and final settlement of Eric Martin Moll's personal  
injuries as a result of the incident on April 2, 1985.

Aud. Cert. 8800671.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A162-181.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McColl. Passed  
by the following vote: Wolfsheimer-yea, Roberts-yea,  
McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-112: (R-88-1469) ADOPTED AS RESOLUTION R-270306

Authorizing the execution of an agreement with John Powell  
and Associates, Inc. for engineering services for  
replacement and/or relocation of Hillandale Water Pump  
Station; authorizing the transfer of an amount not to  
exceed \$204,400 within the Water Revenue Fund 41502 from  
the Unallocated Reserve to the Engineering - Water Capital  
Improvements Program, CIP-73-268.0, Hillandale Water Pump  
Station Relocation/Replacement; authorizing the expenditure  
of an amount not to exceed \$244,400 for CIP-73-268.0,  
Hillandale Water Pump Station Relocation/Replacement from  
the Water Revenue Fund 41502, for the purpose of providing  
funds for the above project.  
(District-7.)

CITY MANAGER SUPPORTING INFORMATION: This project will rehabilitate and/or relocate the existing Hillandale Water Pump Plant located at 7903 Hillandale Drive. The existing pump plant is situated within an easement beneath the sidewalk and front yard of a residence, has poor ventilation, and generates excessive noise levels. Advertisements for engineering services were placed in the San Diego Daily Transcript on January 23, 1987 and five finalists were interviewed in conformance with Council Policy 300-7. John Powell and Associates, Inc. was selected by the Selection Committee. This agreement provides for a predesign study, analysis and comparison of mitigating alternatives, and final design for the selected alternative. The proposed sub-consultants, their associated tasks and percentage of the prime consultant's tasks are as follows: PDS Engineering - Electrical and Instrumentation - 6.8 percent; Universal Structures - Structural - 1.0 percent; HCH and Associates - Architectural - 2.0 percent; Rattray and Associates - Surveying - 2.5 percent; Robert Prater - Geotechnical - 2.7 percent; Kemp and Associates - Landscape and Irrigation - 1.0 percent; John List - Surge Calculations and Design - 3.1 percent; and PSG - Cathodic Protection - 2.0 percent.

Aud. Cert. 8800630.

WU-U-88-082.

FILE LOCATION: MEET CCONFY88-1

COUNCIL ACTION: (Tape location: A162-181.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-113: (R-88-1553) CONTINUED TO FEBRUARY 16, 1988

Authorizing the execution of agreements with Owen Geotechnical Consultants, Ninyo and Moore Geotechnical Consultants and Group Delta Consultants, Inc., for geotechnical consultant services.

CITY MANAGER SUPPORTING INFORMATION: These agreements will provide professional consultant services to review and evaluate grading plans and geotechnical reports submitted for subdivision and permit projects. The agreements with the three selected firms are for calendar years 1988 and 1989 for the maximum amount of \$40,000 per year, per consultant. All the fees for the consultant's services will be paid from work order accounts opened by the developers at the time of plan submittal. The consultants will be used on a rotational and as-needed basis.

Similar contracts have been utilized for structural as well as geotechnical services in the past. Letters of interest were solicited from qualified consultants by advertisements appearing in the San Diego Daily Transcript, on September 30, 1987 and November 13, 1987. After reviewing the data submitted by eight firms, the Consultant Nominating Committee recommended all eight firms for further consideration. Staff then interviewed the eight firms and recommended Owen Geotechnical Consultants, Ninyo and Moore Geotechnical Consultants, and Delta Group Consultants, Inc.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A186-209.)

MOTION BY McCOLL TO CONTINUE ONE WEEK AT THE REQUEST OF DAVID ICHELSON SO THAT HE MAY FULLY PREPARE TO ADDRESS THE ISSUE.

Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-114: (R-88-1409) ADOPTED AS RESOLUTION R-270307

Authorizing the acceptance of a Fuel Efficient Traffic Signal Management (FETSIM) grant from the California Department of Transportation in an amount not to exceed \$74,900 for traffic signal optimization project; authorizing the execution of an agreement with the California Department of Transportation for retiming 79 traffic signals along five Traffic Signal Systems in the City; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$74,900 (\$65,000 from CIP-62-282, 54th Street Guardrail and \$9,900 from CIP-64-004, Annual Allocation - Railroad Warning Devices to CIP-62-300, Signal Timing Optimization Program, Phase 4). (La Jolla, University, Mira Mesa and Kearny Mesa Community Areas. Districts-1 and 5.)

CITY MANAGER SUPPORTING INFORMATION: The State of California is making available financial and technical assistance to local governments to reduce fuel consumption through modifications to the timing of traffic signal systems within their jurisdiction. Since its inception in 1982, the FETSIM program has awarded grants to 93 local jurisdictions for the retiming of over 5,200 signalized intersections. Based on field tests, vehicle stops and delays have been reduced by 15 percent, total travel time by 7 percent and fuel consumption by 8 percent. Since the program first started, the City of San Diego has been awarded grant

funds in the amount of \$228,911 to optimize 224 traffic signals along three separate signal systems citywide. The funds awarded to the City of San Diego from this year's grant program will be utilized to optimize traffic signal timing on the signal systems in the Golden Triangle, on La Jolla Boulevard/Pearl Street, on Mira Mesa Boulevard, on Miramar Road, and on Clairemont Mesa Boulevard. Grant funds in the amount of \$74,900 are being requested from this year's grant program.

Aud. Cert. 8800640.

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A162-181.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-115: (R-88-1433) ADOPTED AS RESOLUTION R-270308

Approving Change Order No. 36, dated September 17, 1987, issued in connection with the contract between the City and the Daley Corporation for the construction of Otay Mesa Road, amounting to a net increase in the contract price of \$45,059.85.

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On November 9, 1983, a contract was awarded to Daley Corporation for construction of Otay Mesa Road, a four-lane road, from 1.3 miles east of I-805 to the Second International Border Crossing. Construction of this project was financed with City, State and Federal grant funds to the City and County, as per CalTrans' District Agreement No. 11-0293 executed on September 21, 1983. This Change Order is a final adjustment of quantities for slope erosion protection items, and has been approved by the contractor, the City, CalTrans and the Federal Government such that the project can be closed out and a final distribution of costs can be made.

Aud. Cert. 8800653

FILE LOCATION: CONT - DALEY CORPORATION CONT FY88-1

COUNCIL ACTION: (Tape location: A162-181.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-116: (R-88-1548) ADOPTED AS RESOLUTION R-270309

Congratulating Mr. Hudson Drake on the occasion of his promotion to Corporate Vice-President of Teledyne Ryan Electronics and Teledyne Ryan Aeronautical and commending him for his years of service to the community.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A162-181.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-117: (R-88-1474) CONTINUED TO FEBRUARY 22, 1988

Approving the City Manager's recommendation to increase Minority and Women Business Enterprise contracting goals; approving the Citizens' Equal Opportunity Commission's recommendation for Fiscal Year 1988 Minority and Women Business Enterprise contracting goals as stated in Equal Opportunity Commission Report EOC-8, dated January 6, 1988. (See City Manager Report CMR-87-555 and Equal Opportunity Commission Report EOC-8.)

COMMITTEE ACTION: Reviewed by RULES on 1/6/88. Recommendation to accept the City Manager's Report and adopt the recommendations of the Citizens' Equal Opportunity Commission. Districts 1, 2, 3, 7 and Mayor voted yea.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A162-181.)

MOTION BY HENDERSON TO CONTINUE TWO WEEKS, AT THE REQUEST OF THE CITY MANAGER, IN ORDER FOR HIM TO MEET WITH THE CONSTRUCTION INDUSTRY. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-150:

(Continued from the meeting of January 25, 1988, Item 151, at Mayor O'Connor's request, to allow the City Manager time to investigate how the City will finance this plan.)

Two actions relative to the Mission Valley Financing Plan and Development Impact Fee:

(See City Manager Report CMR-88-25 and the January 1988, Mission Valley Public Facilities and Financing Plan. Mission Valley Community Area. District-5.)

Subitem-A: (R-88-1428) ADOPTED AS RESOLUTION R-270310  
Approving the Mission Valley Interim Public Facilities  
Financing Plan and Development Impact Fee.

Subitem-B: (R-88-1429) ADOPTED AS RESOLUTION R-270311  
Finding that the fees recommended by the City Manager in  
the Mission Valley Interim Public Facilities Financing  
Plan and Development Impact Fee, January 1988, are  
appropriate and proper; directing the City Manager,  
commencing 60 days from and after the passage of this  
resolution, to collect the fees listed in the Mission  
Valley Interim Public Facilities Financing Plan and  
Development Impact Fee, January 1988, for the Mission  
Valley area; declaring that these fees shall be  
collected prior to the issuance of any building permit;  
declaring that the funds shall be separately maintained  
and interest earned on the fund shall be retained in a  
separate account.

COMMITTEE ACTION: Reviewed by TLU on 1/11/88.

Recommendation to approve the financing plan and developer  
impact fees in concept and forward to the City Council after  
the Planning Commission hearing on January 14, 1988.

Districts 1, 2, 4, 5 and 8 voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C041-C388.)

MOTION BY STRUIKSMA TO ADOPT, AND GO FORWARD WITH THE FINANCING  
PLAN. Second by Roberts. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea,  
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

ITEM-151: (O-88-112 Rev. 1 ) INTRODUCED AS AMENDED, TO BE  
ADOPTED ON FEBRUARY 22, 1988

Introduction of an Ordinance amending Chapter V, Article 2,  
of the San Diego Municipal Code by adding Division 95,  
Sections 52.9500, 52.9501, 52.9502, 52.9503, 52.9504,  
52.9505, 52.9506, 52.9507, 52.9508, 52.9509, 52.9510,  
52.9511 and 52.9512, relating to AIDS Discrimination.  
(See City Manager Report CMR-88-81 and Committee Consultant  
Analysis PSS-88-1.)

COMMITTEE ACTION: Reviewed by PSS on 1/20/88.

Recommendation to approve the concept of an AIDS  
anti-discrimination Ordinance. The committee requested  
the Attorney to work with County Counsel on the



clarification of who would be protected from discrimination and respond to questions raised on the "Liability and Damages" section and the "Exceptions" section. Districts 2,3,4,6 and 7 voted yea.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B180-C009.)

Motion by Struiksma to recommend the use of the County Counsel's language as opposed to the City Attorney's language. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Motion by Struiksma to recommend the County Counsel's terminology regarding punitive damages. Second by Filner.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY STRUIKSMA TO INTRODUCE AS AMENDED. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-152: (R-88-1134 Rev.) ADOPTED AS AMENDED AS RESOLUTION  
R-270312

19880208

(Continued from the meeting of December 8, 1987, Item 213, at Council Member Henderson's request, to allow time for new Councilmembers to review the case.)

Authorizing the execution of an agreement with San Diego Police Tow Operators for provision on an as required basis of police initiated tow and recovery services within the City limits from March 1, 1988 to February 28, 1993; authorizing the City Auditor and Comptroller to expend funds on as required basis for the purpose of providing funds for the above project, including a sum not to exceed \$16,000 from Fund 100, Department 110, Job Order 111242, during Fiscal Year 1988.

(See City Manager Reports CMR-88-20 and CMR-87-603.)

COMMITTEE ACTION: Reviewed by PSS on 1/6/88. Recommendation to approve the City Manager's recommendation. Districts 2, 3, 4, 6 and 7 voted yea.

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: C389-E013.)

MOTION BY ROBERTS TO ADOPT THE PUBLIC SERVICES AND SAFETY COMMITTEE'S RECOMMENDATIONS. Second by Pratt. Passed by the

following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-200: (O-88-124) APPROVED HEARING

First public hearing in the matter of:

Amending Ordinance O-16916 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-16916-1, as amended and adopted therein, by amending the personnel authorization of Council District 4 (024) by deleting one Council Secretary position and by adding one Council Representative I position; exempting said Council Representative I position from the classified service; and establishing a salary rate for the position.

(See memorandum from Council Member Pratt dated 12/15/87 and memorandum from the Personnel Director dated 12/17/87.)

NOTE: See Item 333 on the docket of Tuesday, February 9, 1988, for the introduction and adoption of the ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B077-094.)

MOTION BY STRUIKSMA TO APPROVE HEARING. Second by McColl.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (O-88-54) CONTINUED TO MARCH 7, 1988

(Continued from the meetings of October 19, 1987, Item 51, and January 11, 1988, Item 201; last continued at Council Member Struiksma's request, to allow time for a response to his questions on the rezoning.)

Introduction of an Ordinance amending Section 1 of Ordinance O-16203 (New Series), adopted May 14, 1984, incorporating a portion of Pueblo Lot 1101, Miscellaneous Map-36, a 1.6-acre site located on the north side of Friars Road, between Napa and Benicia Streets, into CO Zone; extension of time to June 14, 1990.

(See Planning Department Report PDR-87-432.

Case-87-0267/EOT1. Linda Vista Community Area. District-5.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C029-038.)

MOTION BY STRUIKSMA TO CONTINUE FOR 30 DAYS. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (R-88-1043) CONTINUED TO FEBRUARY 16, 1988

(Continued from the meeting of January 25, 1988, Item 106, at the City Manager's request, to allow the City Manager to coordinate with Council Member Henderson's office to discuss the feasibility of using the CIP funds to construct the traffic signal and street lighting system at Northern Morena and West Morena Boulevard rather than the proposed site of Bond Street and Grand Avenue.)

Inviting bids for the Construction of a Traffic Signal and Street Lighting System at Bond Street and Grand Avenue on Work Order No. 118971; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$90,200 from Capital Outlay Fund 30245, CIP-61-002, Annual Allocation - New Traffic Signals, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in CIP-61-002, Annual Allocation - New Traffic Signals. (BID-9470) (Mission Bay Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: During the City Council meeting of June 23, 1986, Council voted not to approve funding of a traffic signal for the intersection of 7th Avenue and Robinson Avenue (Item 105). Staff has reviewed other traffic signal candidate intersections to utilize 7th Avenue and Robinson Avenue Funds. The intersection of Bond Street and Grand Avenue appears with the highest ranked intersections for traffic signal installations and based upon safety performance is recommended for installation of a traffic signal. The installation will provide for the safe passage of emergency vehicles, pedestrians and vehicles through this intersection. Aud. Cert. 8800434.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A109-185.)

MOTION BY HENDERSON TO CONTINUE FOR ONE WEEK AT THE CITY MANAGER'S REQUEST IN ORDER TO OBTAIN TRAFFIC DATA FOR COUNCIL MEMBER HENDERSON. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,

Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (R-88-1467) CONTINUED TO FEBRUARY 16, 1988

(Continued from the meeting of January 25, 1988, Item S406, at Deputy Mayor McColl's request, to give Deputy Mayor McColl an opportunity to review Ms. Frahm's resume and to meet with her.)

Council confirmation of the appointment by the Mayor of Christine M. Frahm, to serve as a member of the San Diego County Water Authority Board, for a term expiring July 15, 1992, to replace Lawrence Hirsch, whose term has expired. (See the memorandum from Mayor O'Connor dated 1/14/88.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A109-185.)

MOTION BY ROBERTS TO CONTINUE FOR ONE WEEK IN ORDER TO MEET WITH THE APPOINTEE. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-204: (R-88-1470) ADOPTED AS RESOLUTION R-270313

Accepting and adopting the determinations and recommendation of the Salary Setting Commission in regard to salaries for the Mayor and Councilmembers, as contained in its letter of recommendation dated January 6, 1988; directing the City Attorney to incorporate the Commission's recommendation in the Annual Salary Ordinance. (See the Salary Setting Commission Report dated 1/6/88.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B077-094.)

MOTION BY STRUIKSMA TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-205: (R-88-1554) CONTINUED TO FEBRUARY 22, 1988

Authorizing the Auditor and Comptroller to transfer within the General Fund 100, the sum of \$43,000 from the Unallocated Reserve (605) to the Allocated Reserve (901) and expend an amount not to exceed said sum for the purpose of purchasing from modular office space and filing systems

by the Office Pavilion Organization, pursuant to the Herman Miller systems quotation, for the City Attorney's Office.  
Aud. Cert. 8800683.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: E540-F054.)

MOTION BY WOLFSHEIMER TO CONTINUE TWO WEEKS IN ORDER TO ALLOW CITY ATTORNEY WITT TO RESPOND. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-206: (R-88-1419) CONTINUED TO FEBRUARY 22, 1988, AND REFERRED TO RULES

(Continued from the meeting of January 25, 1988, Item 120, at Council Member McCarty's request, to allow staff more time to correlate the problems with the MOU.)

Authorizing the execution of a letter of agreement with Donald N. Sharp Memorial Hospital for the implementation of a Health Management Program for firefighters; authorizing the expenditure of an amount not to exceed \$35,000 from Dept. 120, Account No. 4151, for the purpose of providing funds for the execution of the above letter of agreement and further authorizing the City Auditor and Comptroller upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION: The proposed agreement originates from the Memorandum of Understanding between the International Association of Fire Fighters, Local 145, and the City, previously approved by Council. The agreement stipulates that both parties agree to support a Health Management Program through Sharp's Hospital and authorizes the expenditures of funds previously appropriated. This year's program will provide an educational program and informational material designed to enhance the fire fighter's awareness of what constitutes stress, how to recognize it, and how to cope with the effects of it, especially in the wake of human suffering. The program will also provide for confidential counseling for fire fighters experiencing lingering effects from exposure to one or more critical incidents. Also included in this year's program is a total non-fasting cholesterol test with follow up testing counseling for fire fighters whose total cholesterol level places them in a high risk category. Finally, this year's program will provide education for female fire fighters concerning potential fetal health risks as a result of workplace

exposures from fire fighting.

Aud. Cert. 8800654.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A109-185.)

MOTION BY ROBERTS TO CONTINUE FOR TWO WEEKS AND REFER TO RULES COMMITTEE TO BE HEARD ON THE FEBRUARY 17, 1988 MEETING. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-207: (R-88-1549) ADOPTED AS RESOLUTION R-270314

Authorizing an agreement with a Financial Consultant to develop a Comprehensive Public Facilities Financing Plan for the City of San Diego.

FILE LOCATION: MEET CCONT FY88-1

COUNCIL ACTION: (Tape location: F055-150.)

MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-208: (R-88-973 Rev. 1) CONTINUED TO MAY 9, 1988

(Continued from the meetings of November 30, 1987, Item 200, and January 11, 1988, Item 205; last continued at Council Member Roberts' request, to allow the Housing Authority additional time to review.)

Rescinding the provision in Resolution R-254594 relating to utilization of Site 428 for housing for persons and families of low-income; authorizing the execution of a quitclaim deed to supplement the earlier Grant Deed, which shall delete any requirement for low-income housing on the site.

(See Housing Commission Report HCR-87-014CC. Peninsula Community Area. District-2.)

NOTE: See Item 209 for a companion item.

FILE LOCATION:

COUNCIL ACTION: (Tape location: B095-179.)

MOTION BY ROBERTS TO CONTINUE ITEMS 208 AND 209 FOR 90 DAYS TO ALLOW TIME FOR THE NEW COUNCIL MEMBERS TO HAVE AN IN-DEPTH REVIEW. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-nay, Filner-nay, Mayor O'Connor-yea.

ITEM-209: CONTINUED TO MAY 9, 1988  
(Continued from the meetings of November 30, 1987, Item 201, and January 11, 1988, Item 206; last continued at Council Member Roberts' request, to allow the Housing Authority additional time to review.)  
Four actions relative to multiple street and alley vacations and slope and sewer easement abandonment:  
(See City Manager Report CMR-87-441. Peninsula Community Area. District-2.)

Subitem-A: (R-88-457)  
Vacating Banning Street, Famosa Boulevard, San Clemente Street, Yonge Street, Xenophon Street, and an alley adjacent to Blocks 1, 1A and 7 through 9 within Loma Alta Unit 1, Map-1078 and a portion of Pueblo Lot 206.

Subitem-B: (R-88-464)  
Vacating the City's interest in an unneeded sewer easement affecting a portion of Pueblo Lot 206, pursuant to Section 8300 et seq. of the Streets and Highways Code.

Subitem-C: (R-88-465)  
Authorizing the sale by negotiation of a slope easement in Blocks 8 and 9 of Map-1078 and within a portion of Pueblo Lot 206 for the processing fee to The Housing Authority of the City of San Diego; authorizing the execution of a grant deed, granting to The Housing Authority of the City of San Diego, all that portion of a slope easement in Blocks 8 and 9 of Map-1078 and within a portion of Pueblo Lot 206; declaring that no broker's commission shall be paid by the City on the negotiated sale.

Subitem-D: (R-88-466)  
Certifying that the information contained in Environmental Negative Declaration END-81-1029, issued in connection with the development of a 4.94-acre site adjacent to Nimitz Boulevard, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines thereto, and that said Declaration has been reviewed and considered by the Council.

NOTE: See Item 208 for a companion item.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B095-179.)

MOTION BY ROBERTS TO CONTINUE ITEMS 208 AND 209 FOR 90 DAYS TO

ALLOW TIME FOR THE NEW COUNCIL MEMBERS TO HAVE AN IN-DEPTH REVIEW. Second by Henderson. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,  
Struiksma-yea, Henderson-yea, McCarty-nay, Filner-nay, Mayor  
O'Connor-yea.

ITEM-S400: CONTINUED TO FEBRUARY 9, 1988 AS  
ITEM NO. 336

Two actions relative to the vacation of Olive Avenue, Peach Avenue, Eighth Street and portions of Murphy Canyon Road, and Aero Drive:  
(Serra Mesa Community Area. District-5.)

Subitem-A: (R-88-1389)

Vacating Olive Avenue, Peach Avenue, Eighth Street and portions of Murphy Canyon Road and Aero Drive, in conjunction with the proposed tentative map for Stonecrest (TM-87-0692).

Subitem-B: (R-88-1390)

Certifying that the information contained in Environmental Impact Report EIR-86-0509, issued in connection with the Stonecrest Project, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines thereto, and that said report has been reviewed and considered by the Council; adopting the findings made with respect to the feasibility of the mitigating measures and project alternatives contained within Environmental Impact Report EIR-86-0509 for Stonecrest, pursuant to California Public Resources Code Section 21081.

CITY MANAGER SUPPORTING INFORMATION: The proposed vacations have been initiated by the submission of a tentative map and consist of several unimproved paper streets and an improved segment of Murphy Canyon Road which are all within the boundaries of the proposed Stonecrest Subdivision (TM-87-0692). The Subdivision Board recommended approval of the tentative map on November 23, 1987. The proposed development and vacation areas are within the Serra Mesa Community. The map proposes a subdivision of 38 acres, including the vacation areas, for industrial and commercial uses. The proposed development is consistent with the General Plan and a proposed amendment to the Serra Mesa Community Plan. Olive Avenue, Peach Avenue and Eighth Street are unimproved, unneeded paper streets. The



improved segment of Murphy Canyon Road and the unimproved segments of Murphy Canyon Road and Aero Drive are to be replaced with the street system being proposed with the Stonecrest Development. The proposed development is to dedicate and improve the new streets to accommodate future access and internal circulation for the development. Easement reservations are not being required since the necessary easements are to be granted on the final map. Staff review has indicated that the rights-of-way to be vacated will no longer be needed for present or prospective public use when the final map for Stonecrest (TM-87-0692) is recorded. It is therefore recommended that the vacation be approved conditioned upon the recordation of Stonecrest (TM-87-0692).

NOTE: See Item 335 for a companion item.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A109-185.)

MOTION BY HENDERSON TO CONTINUE THE MATTER TO FEBRUARY 9, 1988 AS REQUESTED BY CITY MANAGER LOCKWOOD. Second by McCarty.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S401: (R-88-1566) ADOPTED AS RESOLUTION R-270315

Authorizing the Auditor and Comptroller to transfer within the General Fund 100, the sum of \$13,201.07 from the Unallocated Reserve (605) to Council District 2 (022) Equipment Outlay and expend an amount not to exceed said sum for the purpose of purchasing and installing a modular office space system by the Office Pavilion Organization, pursuant to the Herman Miller systems quotation.  
Aud. Cert. 8800704.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A209-289.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S402:

Two actions relative to a lease agreement with Hospital Services of San Diego, Inc.:  
(See City Manager Report CMR-87-599. University Community Area. District-1.)

Subitem-A: (R-88-1157) ADOPTED AS RESOLUTION R-270316

Authorizing the execution of a 55-year lease agreement with Hospital Services of San Diego, Inc. to construct, operate and maintain a fitness, sports and health center (aerobics) and parking garage on 3.49 acres of City-owned property adjoining the Torrey Pines Golf Course.

Subitem-B: (R-88-1158) ADOPTED AS RESOLUTION R-270317

Certifying that the information contained in Environmental Impact Report EIR-86-1041, issued in connection with a lease agreement with Hospital Services of San Diego, Inc. has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said Report has been reviewed and considered by the Council; adopting findings made with respect to the feasibility of the mitigating measures and project alternatives and the statements of overriding considerations, if any, contained within Environmental Impact Report EIR-86-1041.

COMMITTEE ACTION: Reviewed by PFR on 11/25/87. Recommendation to adopt the City Manager's recommendation. Districts 2, 3 and 5 voted yea. Districts 7 and 8 not present.

FILE LOCATION: LEAS - HOSPITAL SERVICES OF SAN DIEGO, INC.  
LEAS FY88-1

COUNCIL ACTION: (Tape location: F151-160.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S403: (O-88-117 Rev.1) INTRODUCED AND ADOPTED AS ORDINANCE  
O-17022 (New Series)

19880208

(Continued from the meetings of January 26, 1988, Item 334, and February 2, 1988, Item S500; last continued at the City Manager's request for the second hearing.)

Introduction and adoption of an Ordinance amending Ordinance O-16916 (New Series), as amended, entitled, "An Ordinance Adopting the Annual Budget for the Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-16916-1, as amended and adopted therein, by adding to the personnel authorization of Special

Promotional Programs (91675) in Transient Occupancy Tax Fund 10224 the following positions: one Council Representative II (Assistant to the Mayor for Arts/Cultural Affairs) position, one Word Processing Operator position, one Management Assistant (Executive Director) position, and one Executive Secretary position; authorizing the Auditor and Comptroller to transfer the sum of \$85,000 within the General Fund 100 from the Unallocated Reserve (605) to the Transient Occupancy Tax Fund (10224), Special Promotional Programs (91675), for the purpose of funding the above positions, allocating \$52,000 to Personnel Services, \$13,000 to Fringe Benefits, and \$20,000 to Non-Personnel Expense.

NOTE: The first public hearing of this Ordinance was held on Tuesday, February 2, 1988, Item S400. Today's action is the second public hearing for the introduction and adoption.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E035-138.)

MOTION BY HENDERSON TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S404: (O-88-123) INTRODUCED AND ADOPTED AS ORDINANCE  
O-17023 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-16916 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-16916-1, as amended and adopted therein, by adding to the personnel authorization of Council District 2 (022) one Council Representative I position; exempting the Council Representative I position from the Classified Service; and establishing a salary rate.

NOTE: The first public hearing of this Ordinance was held on Tuesday, February 2, 1988, Item 200. Today's action is the second public hearing for the introduction and adoption.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B077-094.)

MOTION BY STRUIKSMA TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,  
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

ITEM-S405: (O-88-127) REFERRED TO RULES COMMITTEE

(Continued from the meeting of February 2, 1988, Item 201,  
at the Personnel Director's request for further review.)  
Introduction of an Ordinance amending Ordinance O-16916  
(New Series), as amended, entitled "An Ordinance Adopting  
the Annual Budget for the Fiscal Year 1987-88 and  
Appropriating the Necessary Money to Operate the City of  
San Diego for said Fiscal Year," by amending Document No.  
00-16916-1, as amended and adopted therein, by amending the  
personnel authorization of the City Clerk's Department  
(035) by deleting the positions of Elections Officer,  
Records Management Officer and Associate Administrative  
Analyst and adding in lieu thereof two Deputy Directors and  
one Assistant to the City Clerk, respectively; exempting  
the three new positions from the Classified Service  
pursuant to Section 117(a)17 of the San Diego Charter after  
review and consideration of the unfavorable comment by the  
Civil Service Commission; amending the Annual Salary  
Ordinance O-16867 (New Series) by incorporating the new  
titles of Deputy Director for Legislative Services and  
Elections, Deputy Director for Records Management and  
Information, and Assistant to the City Clerk for  
Administration and Systems Support into Exhibit C;  
establishing salary rates therefor.  
(See City Clerk Report CC-87-20 dated 12/30/87 and Report  
from Personnel Director dated 1/19/88.)

**CITY CLERK SUPPORTING INFORMATION:** This ordinance will exempt  
three positions from the Classified Service, pursuant to Charter  
Section 117. Because of the growth in size and complexity of  
the City Clerk's responsibilities, the City Clerk conducted a  
year-long review of office organization. As a result of the  
study, the office was reorganized along division lines, as done  
in seventeen other departments. This structure is the most  
efficient way to meet workload requirements. A great degree of  
responsibility for policy development and administration has  
devolved to the three positions. Because of these conditions,  
we feel the positions meet the requirements of Charter Section  
117, Subsection 17, that the Unclassified Service shall include  
"managerial employees having significant responsibilities for  
formulating or administering departmental policies and

programs."

FILE LOCATION: --

COUNCIL ACTION: (Tape location: E139-217.)

MOTION BY HENDERSON TO REFER TO RULES COMMITTEE FOR AN IN-DEPTH ANALYSIS. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S406:

Two actions relative to the Improvement of Carmel Mountain Road from Gerana Street to Penasquitos Drive:  
(Penasquitos East Community Area. District-1.)

Subitem-A: (R-88-1498) ADOPTED AS RESOLUTION R-270318  
19880208

Inviting bids for the Improvement of Carmel Mountain Road from Gerana Street to Penasquitos Drive on Work Order No. 118906; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the City Auditor and Comptroller to transfer \$269,993 from Facilities Benefit Assessment Fund 79004 to CIP-52-294, Carmel Mountain Road - Gerana Street to Penasquitos Drive; authorizing the expenditure of an amount not to exceed \$489,993 from Facilities Benefit Assessment Fund 79004, CIP-52-294, Carmel Mountain Road - Gerana Street to Penasquitos Drive, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.  
(BID-9520)

Subitem-B: (R-88-1499) ADOPTED AS RESOLUTION R-270319

Certifying that the information contained in Environmental Negative Declaration END-87-0757, dated September 28, 1987, issued in connection with the Improvement of Carmel Mountain Road from Gerana Street to Penasquitos Drive, has been completed in compliance with the California Environmental Quality Act of 1970, and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: The Public Facilities Financing Plan for Penasquitos East, adopted by City Council per Resolution R-265683, identified the need to widen Carmel

Mountain Road between Gerana Street and Penasquitos Drive from two to four travel lanes including median landscaping.

Elimination of this "bottleneck" section will improve capacity and safety on this primary arterial street within the Penasquitos community. Additional project funding has been required because of a need to make substantial drainage improvements to bring the street up to City standards and because of a need for retaining walls throughout the median area in order to protect the SDG&E transmission main.

Aud. Cert. 8800706.

FILE LOCATION: W.O. 118906 CONT - RLF Inc. CONT FY88-1

COUNCIL ACTION: (Tape location: F160-170.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S407: (R-88-1456) CONTINUED TO FEBRUARY 22, 1988

(Continued from the meeting of February 2, 1988, Item 108, at the City Manager's request, to allow him time to coordinate with the Attorney's Office and Don Detisch, representing the Citizens to Preserve Lake Hodges, to review the problems the group has with respect to the project not receiving appropriate Environmental Review.) Authorizing the execution of a deed conveying to San Diego Gas and Electric Company an easement for overhead and underground electrical facilities and appurtenances affecting City-owned portion of Rancho San Bernardo. (Lake Hodges Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The Water Utilities Department has undertaken a project to construct a number of improvements along the northerly side of Lake Hodges. These include a rest room, sewer pump station, additional boat launching ramp, and paving of the parking lot. Council has previously approved a \$734,000 contract for this project. Of that amount, the City will be reimbursed for all but about \$19,000 by the State Department of Boating and Waterways. SDG&E has requested an easement from the City to extend electrical service to the new improvements. The electrical installation will be about half overhead and half underground and will cover a total area of approximately 6,008 square feet. Installation costs will be paid partly by SDG&E and partly by the Council-approved contract. The proposed easement has been cleared with the Water Utilities Department.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A109-185.)

MOTION BY HENDERSON TO CONTINUE FOR ONE WEEK AT THE CITY MANAGER'S REQUEST TO ALLOW THE ATTORNEY FOR THE PROJECT TO BE PRESENT. Second by McCarty. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,  
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

ITEM-S408: (R-88-1459) CONTINUED TO FEBRUARY 16, 1988

(Continued from the meeting of February 2, 1988, Item 207, at the City Manager's request, to allow time to respond to Council Member Henderson's questions.)

Approving Change Order No. 7, dated November 4, 1987, issued in connection with the contract between the City and Hunter Corporation for the Sail Bay Improvements, Phase II Project, amounting to a net increase in the contract price of \$262,027.35, and an extension of time of 123 working days.

(Mission Bay Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The Sail Bay area is located in the northwest corner of Mission Bay Park. The Sail Bay Improvements Phase II project provides a widened beach and extends storm drain lines in the area between Varona Court on the west and Moorland Drive on the east. Nine bids were received on May 20, 1986. The low bidder, Hunter Corporation, submitted a bid of \$3,346,741. The project has had six previous construction change orders which have added \$131,405.30 to the construction cost. This last change order will increase the construction cost by \$262,027.35 and add 123 days to the contract time. The changes are:

1. Additional grading on Fiesta Island to remove dikes around the disposal area. Cost: \$54,849.95
2. Increase quantity of beach construction material. Quantity used exceeded bid quantity by 78,849 cu. yds.  
Cost: \$165,677.40
3. Delete one drain system cleanout.  
Decrease Cost by: \$4,200
4. Additional fencing on Fiesta Island to prevent public access to an area unsafe for pedestrian or vehicular traffic.  
Cost: \$10,500
5. Extend an existing storm drain 138 feet to a point beyond the edge of the new beach. Cost: \$31,000
6. Install 42 steps in storm drain system distribution boxes to

provide safe access for maintenance and repair.

Cost: \$4,200

7. Add 123 days to the contract time to accomplish the added work. Total increase: \$262,027.35

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A109-185.)

MOTION BY HENDERSON TO CONTINUE FOR ONE WEEK AT THE CITY MANAGER'S REQUEST IN ORDER TO DEVELOP INFORMATION FOR COUNCIL MEMBER HENDERSON. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S409: (O-88-79) TRAILED TO FEBRUARY 9, 1988, DUE TO LACK OF TIME

(Trailed as Unfinished Business from the meeting of February 2, 1988, Item 339, due to lack of 5 votes.)

A proposal to amend Chapter X, Article 1, Division 5, of the San Diego Municipal Code relating to Conditional Use Permits for New Research, Development and Demonstration Hazardous Waste Facilities. The amendments would 1) Define certain terms; 2) Set time limits for processing permit application; and 3) Provide for an initial determination of project consistency with certain City plans and ordinances. (Citywide.)

Introduction of an Ordinance amending Chapter X of the San Diego Municipal Code.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: E014-016.)

ITEM-S410: TRAILED TO 11:00 A.M. TIME CERTAIN, FEBRUARY 9, 1988, DUE TO LACK OF TIME

The matter of Fiscal Year 1989 Budget Priorities.

See Framework - Planning Guide for Fiscal Year 1989.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F016-034)

ITEM-S411: (O-88-134) INTRODUCED AND ADOPTED AS ORDINANCE O-17024 (New Series)

Introduction and adoption of an Emergency Ordinance necessary to preserve the public safety, health and welfare, imposing parking space requirements on residential



hotel projects within the Uptown Community Plan Area of the City of San Diego.

(Uptown Community Area. Districts-2 and 8.)

FILE LOCATION: LAND - UPTOWN COMMUNITY PLAN

COUNCIL ACTION: (Tape location: E223-539.)

MOTION BY ROBERTS TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

NON-DOCKET ITEMS:

ITEM-ND-1: (R-88-1605) ADOPTED AS RESOLUTION R-270320

A resolution commending Mr. Bob Payne for his role as Chairman of the Super Bowl Task Force.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F150-169.)

MOTION BY HENDERSON TO APPROVE FOR CONSIDERATION. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

MOTION BY HENDERSON TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Council Member McCarty at 5:50 p.m.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: F145-150).

MOTION BY McCARTY TO ADJOURN THE MEETING IN HONOR OF THE MEMORY OF DEPUTY DISTRICT ATTORNEY JOHN LOPEZ. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.